





Risk Management Manual Program

<p>Complete Program Title: McMaster University Joint Health and Safety Committees</p>	<p>Risk Management Manual (RMM) Number: 105</p>
<p>Approved by:</p> <p style="text-align: center;"></p> <hr/> <p>Vice-President, Operations and Finance</p> <p style="text-align: center;"></p> <hr/> <p>President and Vice-Chancellor</p>	<p>Date of Most Recent Approval: December 2021</p>
<p>Date of Original Approval: June 2006</p>	<p>Supersedes/Amends Program dated: April 2014</p>
<p>Responsible Executive: Vice-President, Operations and Finance</p>	<p>Enquiries: Environmental and Occupational Health Support Services (EOHSS) ehss@mcmaster.ca</p>
<p>DISCLAIMER: <i>If there is a discrepancy between this electronic program and the written copy held by the program owner, the written copy prevails.</i></p>	

1 Purpose

- 1.1 To support the Central Joint Health and Safety Committee (CJHSC) by conducting workplace inspections, safety audits, investigations and providing minutes of meetings to the CJHSC.
- 1.2 To support the Internal Responsibility System (IRS) and provide a mechanism for joint resolution of unresolved occupational health and safety issues in the workplace.
- 1.3 To ensure compliance with the Occupational Health and Safety Act (the Act) R.S.O. 1990, Sections 9, 42 (3)

2 Scope

- 2.1 All faculty, staff and recognized employee unions and associations.

3 Related Documents

- 3.1 McMaster University RMM #100 Workplace and Environmental Health and Safety Policy
- 3.2 McMaster University RMM #101 Risk Management System
- 3.3 McMaster University RMM #104 Central Joint Health and Safety Committee Program

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- 3.4 McMaster University RMM #114 OHS Work Refusals Program
- 3.5 McMaster University RMM #600 and RMM #106 Biosafety Program / Biosafety Committee Terms of Reference
- 3.6 McMaster University RMM #700 and RMM #107 Radiation Safety Program Physics Advisory Committees Terms of Reference
- 3.7 Occupational Health and Safety Act R.S.O 1990

4 Definitions

- 4.1 **Audit** – a systematic check to determine quality in the operation of some function or the performance of some activity (e.g. Lockout / Tagout System)
- 4.2 **Certified Member** – a committee member who is certified in accordance with the Act and criteria set out by the Ontario Ministry of Labour, Training and Skills Development
- 4.3 **Inspection** – an examination of the workplace to identify deficiencies that might cause injury, illness or property damage
- 4.4 **Internal Responsibility System** – the fundamental concept on which the Occupational Health and Safety Act (Occupational Health and Safety Act, R.S.O. 1990, c. O.1 (ontario.ca) is based. The IRS defines and outlines the responsibilities of all parties in the workplace. The development of an effective IRS is shared by all parties and contributes to the quality of occupational health and safety programming, its execution and the health and safety culture.
- 4.5 **Worker** - means any of the following, but does not include an inmate of a correctional institution or like institution or facility who participates inside the institution or facility in a work project or rehabilitation program:
 - 1. A person who performs work or supplies services for monetary compensation.
 - 2. A secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates the school in which the student is enrolled.

3. A person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university or other post-secondary institution.
4. Such other persons as may be prescribed who perform work or supply services to an employer for no monetary compensation (travailleur”).

4.6 **Supervisor** – person who has charge of a workplace or authority over a worker.

4.7 **Critical Injury** - an injury of a serious nature that, places life in jeopardy; produces unconsciousness; results in substantial loss of blood; involves the fracture of a leg or arm but not a finger or toe; an amputation of a leg, arm, hand or foot but not a finger

or a toe; consists of burns to a major portion of the body; or causes the loss of sight in an eye.

4.8 **Acronyms:**

- **CJHSC** - Central Joint Health and Safety Committee
- **EOHSS** - Environmental and Occupational Health Support Services
- **FHSSO** - Faculty of Health Sciences Safety Office
- **IRS** - Internal Responsibility System
- **JHSC** - Joint Health and Safety Committee
- **MLTSD** - Ministry of Labour, Training and Skills Development
- **OHSA** - Occupational Health and Safety Act
- **RMM** - Risk Management Manual

5 **Responsibilities**

5.1 **McMaster University Joint Health and Safety Committees (See Appendix A)**

The Joint Health and Safety Committees shall:

- Meet in person or virtually where necessary at least once every 90 days, more frequently if determined by the JHSC;
- Record the minutes of meetings and forward copies to the Senior Manager responsible and the CJHSC;
- Identify and report in writing unresolved workplace health and safety issues to the Senior Manager responsible;

- Review Injury/Incident reports;
- Provide written recommendations to Senior Manager responsible on health and safety issues including improvements to internal responsibility and workplace health and safety conditions;
- Ensure that at least one member of the JHSC representing management and one representing workers are certified as per OHSa;
- Provide certified members as required by OHSa for investigations, unilateral and bilateral work stoppages;
- Obtain information from constructor or employer regarding actual or potential hazards;
- Obtain information from the constructor or employer concerning industrial hygiene testing;
- Be consulted about workplace industrial hygiene testing methods and strategies;
- Review and post the names and work locations of members; and
- Make comment on safety training programs on an annual basis.

Worker members are required to designate one of their members who may carry out additional functions:

- to be present at the beginning of industrial hygiene testing;
- on a schedule established by the JHSC, inspect the workplace at least once per month or inspect part of the workplace each month resulting in the inspection of the entire workplace in one year;
- to inform the JHSC of actual or potential hazards; and
- to assist in resolving health and safety related work refusals.

5.3 Certified Members: The Act requires that at least one member of a JHSC representing management and one member representing workers be certified. Such members receive certification training that has been approved by the Ontario Ministry of Labour, Training and Skills Development. Required duties of the certified member include:

- to investigate dangerous circumstance that may exist according to section 45 of the Act; to initiate and/or assist in the investigation of a bilateral work stoppage;
- contact the other certified member if dangerous circumstances continue to exist after the investigation; and
- contact EOHSS or FHSSO immediately to assist in the investigation.

5.4 **Senior Manager Responsible:**

Senior Manager responsible shall:

- Support the activities of the JHSCs including inspections conducted by worker members;
- Ensure that undue pressure is not put upon worker members as part of their inspection activities;
- Respond promptly to concerns raised by the JHSCs;
- Respond in writing within twenty-one days to any written recommendation from a JHSC;
- Ensure that JHSC members are afforded the time and resources required to fulfill their obligations and rights as members of such committees and provide administrative support for the committee;
- Provide a comprehensive list of rooms and other areas to be inspected;
- Ensure that the names and work locations of JHSC members are posted;
- Ensure that copies of the JHSC minutes and MLTSD inspection reports are posted; and
- Provide information on known health and safety hazards to the JHSCs.

5.4 **The Central Joint Health and Safety Committee**

The Central Joint Health and Safety Committee shall:

- Review minutes and reports from JHSCs;
- Review and audit inspection reports from JHSCs;
- Conduct periodic health and safety audits at the departmental level;
- Review and make comment on proposed occupational health and safety policy and programs;
- Review injury and occupational disease (injury/incident reports) and statistics;
- Review and comment on proposals for health, safety and fire loss prevention programs and training initiatives;
- When required provide assistance to JHSCs by participating in regulatory inspections, safety related work refusals and investigations of fatal or critical injuries; and
- make recommendations to improve internal responsibility and workplace health and safety conditions.

5.5 **Environmental and Occupational Health Support Services and the Faculty of Health Sciences Safety Office** EOHSS and FHSSO shall:

- Provide technical and professional support to JHSCs;
- Provide up to date information on safety standards and legislation to the JHSCs;
- Facilitate occupational health and safety training;
- Arrange for environmental testing of suspected contaminants in the workplace ;
- Participate in serious and critical injury investigations;
- Participate in the investigation of unsafe conditions and the resolution of bilateral work stoppages; and
- Provide incident reports to JHSC.

6 **Joint Health and Safety Committees**

6.1 **Joint Health and Safety Committee's Terms of Reference**

The JHSCs shall develop a terms of reference consistent with the subsections below.

6.1.1 **Senior Manager responsible:**

- The JHSCs receive authority from the OHSA and report to a senior manager at the Department Head or higher level. The legal authority for the establishment of the JHSCs is stated in the Occupational Health and Safety Act (the Act).
- See **Appendix A** for listing of current JHSCs

6.1.2 **Membership:**

The JHSCs shall be comprised of:

- At least 50 % shall be workers and will be named by the bargaining units they represent; and
- Not more than 50% of the members representing management, appointed by the Senior Manager responsible to whom the Committee reports.

6.1.3 **Officers:**

Two Co-Chairs:

One representing the worker representatives

One representing the management representatives

- **Administrative Support:** The faculty, department or location represented by the JHSC will provide administrative support services to the JHSC. This will include minute taking and document retention.

6.1.4 **Certification:** At least two members of each JHSC, one representing management and one representing workers, will be certified members as per the OHS Act.

6.1.5 **Quorum:** The minimum number of members for quorum shall be 50% Management members, 50% Worker members + one additional worker member.

6.1.6 **Meetings:** Each JHSC shall meet in person or virtually where necessary at least once every 90 days. It may meet more often at the discretion of the co-chairs. The meeting schedule shall be included in their terms of reference.

6.1.7 **Powers and Protection:** It is noted that all members of Joint Health and Safety Committees associated with McMaster University are recognized as legal JHSC members under the Occupational Health and Safety Act. All powers and protection under the Act for each JHSC are assumed by each member.

6.2 Committee Structure

6.2.1 The structure, number and composition of JHSCs shall be the subject of an annual review by the CJHSC. Recommendations from the review, if any, shall be forwarded to the Vice President, Operations and Finance and the Senior Manager responsible affected by the recommendation.

6.2.2 Any changes to the structure, number or composition of the JHSCs shall be reported in its minutes.

6.3 Other Committees

6.3.1 Nothing in this document shall be interpreted as precluding the formation and operation of safety committees or working groups at the department or smaller work group level. Such committees are encouraged to communicate and work in cooperation with the local JHSC, but are not bound by the requirements herein.

6.4 Inspections:

6.4.1 Frequency - on a schedule established by the JHSC, inspect the workplace at least once per month or inspect part of the workplace each month resulting in the inspection of the entire workplace in one year.

6.4.2 Reports - shall include all rooms and areas inspected; identified by appropriate room number or designation.

6.4.3 Attendance -a worker representative shall be present for all inspections.

7. Records

The Faculty or Department represented by the JHSC shall retain copies of the JHSC minutes and all documents relevant to the activities of the Committees.

Appendix A

McMaster University Joint Health and Safety Committees:

A complete listing of McMaster University Joint Health and Safety Committees is available at:

<https://hr.mcmaster.ca/app/uploads/2019/01/JHSC-Master-List.pdf>